IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 2931 OF 2003

IN

SUIT NO. 3755 OF 1996

Bank of India ...Plaintiffs.
vs.
Khodiyar Light House and Ors. ...Defendants.

C.D. Patel with Ms. Usha Singh

i/by Vyas and Bhalwal

for the plaintiffs.

Asif Menon i/b. S.R. Saudagar

for the defendants

CORAM: S.U. KAMDAR, J.

DATE : 14TH FEBRUARY, 2006.

P.C. :

1. The present Notice of Motion is taken out for setting aside the order of the Prothonotary and Senior Master dated 27.8.2003 to proceed for undefended suit in view of non filing of the written statement. Learned counsel for defendant

no.1 to 4 tenders the written statement. Written statement is taken on record subject to the defendant no.1 paying the cost quantified at Rs.7500/- to the Maharashtra State Legal Services Authority within two weeks and furnish the receipt to the office of Prothonotary and Senior Master. If not done, written statement will not be taken on record and motion will stand dismissed.

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